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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/444,317	11/22/1999	JAMES S. LIPSCOMB	SE9-99-007-(8497

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MORGAN & FINNEGAN LLP
345 PARK AVENUE
NEW YORK, NY 10154

EXAMINER

NGUYEN, FRANCIS N

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/444,317

Applicant(s)

LIPSCOMB ET AL.

Examiner

FRANCIS NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/16/02
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 17-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 16 and 20-27 is/are rejected.
- 7) ☐ Claim(s) 2-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- ☐ Interview Summary (PTO-413) Paper No(s). _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☒ Other: *Copy of Defective Declaration*.

DETAILED ACTION

Response To Election

1. Applicant's election with traverse of Group I claims in Paper No. 6 filed on 9/16/2002 is acknowledged. The traversal is on the ground(s) that Group I claims and Group II claims are not capable of supporting separate patents, that the two Groups are not independent and distinct from each other. This is not found persuasive because the Group I claims calls for user input and associated method to control animation, which are classified in class 345, whereas the Group II claims address a generic control system with more than two inputs and an output response based on multiple inputs, classifiable in class 700, without any substance related to animation control or user input to control animation; therefore, these two groups are distinct and independent to each other.

The requirement is still deemed proper and is therefore made FINAL. Therefore, claims 17-19 are now nonelected.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The title of invention on the declaration filed on 1/20/2000 is completely different from that of the application.

Claim Objections

3. Claims 1-2, 21, 23, 24 are objected to because of the following informalities: claim 1, page 18, line 4, incorrect spelling of word “then”, also in claim 2, page 18, line 1, lack of word “said” before phrase “plurality of inputs”, also in claim 21, page 22, line 1, incorrect spelling of word “then”, also in claim 23, page 22, line 3, incorrect letter “n”, also in claim 24, page 22, line 3, incorrect word “on”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Taaffe(US Patent 5,179,639)

As to claim 1, Bier discloses a method of reconciling multiple inputs to a processor, comprising: receiving a plurality of inputs (**image data of image plane, graphic data of graphic plane**) at a processor (data mixer 30 as shown in figure 2); providing an output from the processor to an interface (output of data mixer to driver display unit 34 as shown in figure 2), the output based on the plurality of inputs, wherein the output has a degraded response when more than one of the plurality of inputs is asserted simultaneously (output **degrades to black ouput when 2bit graphics plane 40 signal is 00, column 3, lines 52-67**) and an increased response when one of the plurality of inputs is asserted significantly more than the other inputs (**results best when image of image plane and graphics of graphic plane are overlaid when 2bit graphics plane 40 signal is 11, column 3, line 63 through column 4, line 16**) .

6. Claims 1 , 16 and 27 rejected under 35 U.S.C. 102(b) as being anticipated by Bier(US Patent 5,442,788).

As to claim 1, Bier discloses a method of reconciling multiple inputs to a processor, comprising: receiving a plurality of inputs (**multiple users, figure 26, input streams from multiple devices** , column 2, lines 45-46) at a processor (column 4, lines 63-65);

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providing an output from the processor to an interface (screen update, column 2, lines 39-42, interface is display screen 25, column 5, lines 1-6, application must update screen, column 14, lines 54-55), the output based on the plurality of inputs, wherein the output has a degraded response when more than one of the plurality of inputs is asserted simultaneously (**user attempting to drag a rectangle of a child editor in upward direction while another user is attempting to drag a rectangle of the editor**, column 14, lines 59-65, **an inconsistent display would appear, figure 23**, column 14, lines 67-68) and an increased response when one of the plurality of inputs is asserted significantly more than the other inputs (**screen update algorithms must produce image consistent with editing activities of all users**, column 2, lines 39-42, column 8, lines 33-35, column 10, lines 27-49, **incoming events are placed in queue**, column 12, lines 22-28) .

As to claims 16 and 27, Bier discloses a method of providing feedback and associated computer program product (column 3, lines 47-53, screen display updated to show progress, column 6, lines 50-51) to at least one operator controlling a plurality of inputs (column 5, lines 7-16) ;

receiving a plurality of inputs (column 3, lines 13-15) ;

providing an encouragement when the inputs are asserted individually (**except where user actions conflict, the system allows all activities at once**, column 2, lines 49-50, **screen update algorithms must produce image consistent with editing activities of all users**, column 2, lines 39-42, column 8, lines 33-35, column 10, lines 27-49, **incoming events are placed in queue**, column 12, lines 22-28). Note normal display corresponds to providing encouragement.

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providing a discouragement when the inputs are asserted simultaneously (user actions conflict, column 2, line 49, **user attempting to drag a rectangle of a child editor in upward direction while another user is attempting to drag a rectangle of the editor, column 14, lines 59-65, an inconsistent display would appear**, figure 23, column 14, lines 67-68). Note inconsistent display corresponds to the claimed providing a discouragement.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doi et al. (US Patent 6,307,561) in view of Bier.

As to claim 20, Doi et al. teaches a method for providing an input to control animation (animation control means 6 and input means 10, as shown in figure 18 , column 6, lines 35-38), providing an animation output from the processor to a user interface (selected object image displayed on display means 9., column 6, lines 37-38) but fails to teach reconciling multiple inputs. **Bier teaches a method of reconciling multiple inputs (column 3, lines 35-62).** It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the method taught by Doi et al. , than modify said method to provide more than one input as taught by Bier to control animation to obtain the method Doi et al. modified

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by Bier, because it would provide more interactive collaboration opportunities in generating animation on a single display screen.

As to claim 21, the method of claim 20 (see same citation for claim 1), wherein the output is degraded (user actions conflict, column 2, line 49, **user attempting to drag a rectangle of a child editor in upward direction while another user is attempting to drag a rectangle of the editor, column 14, lines 59-65, an inconsistent display would appear**, figure 23, column 14, lines 67-68) when more than one of the plurality of inputs is asserted simultaneously and the output has an increased response when one of the plurality of inputs is asserted significantly more than the other inputs (see Bier , **except where user actions conflict, the system allows all activities at once, column 2, lines 49-50, screen update algorithms must produce image consistent with editing activities of all users, column 2, lines 39-42, column 8, lines 33-35, column 10, lines 27-49, incoming events are placed in queue**, column 12, lines 22-28).

As to claim 22, the method of claim 21 (see same citation for claim 21), wherein the plurality of inputs are an x-input and y-input (see Bier, creating a rectangle from a rectangle editor denotes x and y coordinates input, column 6, lines 1-5, also column 13, lines 51-53).

As to claim 23, Doi et al. teaches a method for providing an input to control animation (**animation control means 6 and input means 10, as shown in figure 18** , column 6, lines 35-38), receiving n inputs at a processor, wherein n is at least 2 (**user inputs a desired path**

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through animation path input means 2 using a mouse, which denotes x-coordinate input and y –coordinate input determined by movement of mouse, column 6, lines 43-44)

displaying an animation on a user interface by moving through an n-dimensional grid of animation frames in a direction based on the n inputs (selected object image displayed on display means 9, column 6, lines 37-38, **n-dimensional grid of first animation frame through 30th animation frame as shown in figure 2, column 8, lines 35-38 based on the path input by user**) but fails to teach reconciling multiple inputs. Bier teaches a method of reconciling multiple inputs (column 3, lines 35-62). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the method taught by Doi et al. , then modify said method to provide more than one input as taught by Bier to control animation to obtain the method Doi et al. modified by Bier, because it would provide more interactive collaboration opportunities in generating animation on a single display screen.

As to claim 24, the method of claim 23 (see same citation for claim 23), wherein the animation response is degraded (user actions conflict, column 2, line 49, **user attempting to drag a rectangle of a child editor in upward direction while another user is attempting to drag a rectangle of the editor, column 14, lines 59-65, an inconsistent display would appear, figure 23, column 14, lines 67-68**) when more than one input is asserted simultaneously and the animation response increases response when one input is asserted significantly more than the other inputs (see Bier , **except where user actions conflict, the system allows all activities at once, column 2, lines 49-50, screen update algorithms must produce image consistent with editing activities of all users, column 2, lines 39-42, column 8, lines 33-35, column 10, lines**

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27-49, incoming events are placed in queue, column 12, lines 22-28). Note that method Doi et al. modified by Bier now displays animation frame on display means 9 taught by Doi et al.

9. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taaffe et al. (US Patent 5,179,639) in view of Bier.

As to claim 25, Taaffe discloses a computer system providing an output to an interface (output of data mixer 30 as shown in figure 2), comprising:

a display (display unit 34 as shown in figure 2) ;

a frame buffer coupled to the display storing images to be shown on the display (buffer 14a through buffer 14n, buffer 16 as shown in figure 2);

a processor outputting the data to the frame buffer (host 10 outputting display data to multiple buffer display controller 46 as shown in figure 2)

Taaffe fails to teach reconciling multiple inputs, at least one input device controlled by at least one user; a storage device storing data ;

Bier teaches reconciling multiple inputs (column 3, lines 35-62), at least one input device controller by at least one user (input devices 21/22 as shown in figure 1) , a storage device storing data (RAM 20 coupled to a computer 20 as shown in figure 1), a processor receiving a plurality of inputs from the at least one input device (**computer 20 receiving multiple inputs 21/22 as shown in figure 1**), combine inputs to form an output response (see Bier , except where user actions conflict, the system allows all activities at once, column 2, lines 49-50, screen update algorithms must produce image consistent with editing activities of all users, column 2,

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lines 39-42, column 8, lines 33-35, column 10, lines 27-49, incoming events are placed in queue, column 12, lines 22-28) and degrades the output response when multiple inputs are asserted simultaneously (user actions conflict, column 2, line 49, **user attempting to drag a rectangle of a child editor in upward direction while another user is attempting to drag a rectangle of the editor, column 14, lines 59-65, an inconsistent display would appear, figure 23, column 14, lines 67-68**), accesses the data in the storage device (computer 20 accesses RAM 20 as shown in figure 1). Since Taafe apparatus teaches image data and graphic data combining and Bier teaches reconciling multiple inputs; it makes sense to combine the two teachings. **It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the apparatus taught by Taafe , then modify said apparatus to provide more than one input, reconcile multiple inputs as taught by Bier to obtain the apparatus Taafe modified by Bier, because it would provide more interactive collaboration opportunities between a plurality of users. Note also that output of processor for driving display 34 in apparatus of Taafe degrades to black output when 2bit graphics plane 40 signal is 00 and results best when image of image plane and graphics of graphic plane are overlaid when 2bit graphics plane 40 signal is 11, column 3, line 63 through column 4, line 16)**

As to claim 26, the system of claim 25 (see same citation for claim 25), wherein the processor is connected to a communication channel and the processor receives at least one of data and instructions over the communication channel (see Taafe, display data transmitted via bidirectional bus 50 as shown in figure 2, column 5, lines 56-57).

Allowable Subject Matter

10. Claims 2-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

As to claims 2-15, none of prior art teaches a method of reconciling multiple inputs to a processor wherein the output has a degraded response when more than one of the plurality of inputs is asserted simultaneously and wherein said plurality of inputs are represented by an input vector in a coordinate space, and the output response is a maximum when the vector lies along a coordinate axis of the coordinate space, and the output response is a minimum when the vector lies along a diagonal in the coordinate space.

Conclusion

The prior art made of record is not relied upon, but pertinent to Applicant's disclosure:

US Patent	5,828,369	Foster
US Patent	6,126,449	Burns
US Patent	5,940,529	Buckley
US Patent	5,694,150	Sigona et al.

Reference Foster is made of record as it discloses a method and system for displaying an animation sequence .

Reference Burns is made of record as it discloses an interactive motion training device and method.

Reference Buckley is made of record as it discloses multiple inputs to a processor.

Reference Sigona et al. is made of record as it discloses multiuser/multipointing device graphical user interface system.

The nonprior art made of record is not relied upon, but pertinent to Applicant's disclosure:

WO 00/79484 A1 Jin

Reference Jin is made of record as it discloses a multi-frame animation software wherein speed of animation is determined by speed of cursor moving backwards or forwards.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **FRANCIS N NGUYEN** whose telephone number is **703 308-8858**. The examiner can normally be reached during hours 8:00 AM- 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached at 703 305-4579.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service whose telephone number is (703) 306-0377.

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A handwritten signature in black ink, appearing to read 'Francis N. Nguyen', written in a cursive style.

FN

November 26th, 2002

FRANCIS N NGUYEN

Examiner

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